

Message Text

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ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 L-03 DEAE-00 CIAE-00 INR-07
JUSE-00 NSAE-00 SNM-02 TRSE-00 USIA-15 NSC-05
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FM AMEMBASSY VIENNA
TO SECSTATE WASHDC PRIORITY 1110
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UNCLAS VIENNA 2170

E.O. 11652: N/A
TAGS: SNAR
SUBJECT: CONGRESSIONAL HEARINGS ON DECRIMINALIZATION OF MARIHUANA

REF: A) STATE 07902, B) VIENNA A-057

1. THE AUSTRIAN NARCOITCS LAW OF 1951, AS AMENDED, PROVIDES THAT UNAUTHORIZED POSSESSION, MANUFACTURE, IMPORT, EXPORT OR TRAFFICKING OF NARCOTIC DURGS FO QUANTITY THAT COULD ENDANGER THE LIFE OR HEALTH OF A CONSIDERABLE NUMBER OF PERSONS IS A FELONY PUNISHABLE BY IMPRISONMENT OF FROM ONE TO TEN YEARS AND A FINE OF UP TO AS 225,000 (\$13,235 AT CURRENT RATE).

2. COURTS PRESENTLY HOLD THAT 100 DOESE (E.G. THE QUANTITY OF MARIHUANA FOR 100 CIGARETTES, 100 SHOTS OF MORPHINE, OR 100 TABS OF LSD) ARE SUFFICIENT QUANTITY TO WARRANT A FELONY INDICTMENT. PERSONS IN POSSESSION OF QUANTITIES LESS THAN 100 DOSES BUT MORE THAN ONE WEEK'S SUPPLY FOR THEIR OWN USE MAY BE IMPRISONED FOR A PERIOD OF UP TO ONE YEAR. PERSONS IN POSSESSION OF A QUANTITY FOR THEIR OWN USE, WHICH IS LESS THAN ONE WEEK'S SUPPLY, (E.G. 30 GRAMS OF MARIHUANA, OR 3 GRAMS OF RAW MORPHINE, OR 3 TABS OF LSD), ARE NOT SUBJECT TO PROSECUTION,
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PROVIDING THAT PUBLIC HEALTH AUTHORITIES CERTIFY THAT SUCH PERSONS DO NOT REQUIRE SUPERVISION OR TREATMENT. REFUSAL TO SUBMIT TO MEDICAL SUPERVISION AND/OR THREATMENT, OR A SECOND OFFENSE WITHIN ONE YEAR, WILL RESULT IN PROSECUTION. IN SUCH CASES SENTENCE OF UP TO SIX MONTHS MAY BE IMPOSED.

3. THESE PROVISIONS ARE STRICTLY ENFORCED. (SEE ALSO
VIENNA A-057 OF FEB 8, 1977.) BUCHANAN

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